

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

NANCY BROWN, Individually and as
Special Administrator for the Estate of
JOHN BROWN, Deceased,

Plaintiff,

Case No. 13-CV-511

WISCONSIN DEPARTMENT OF HEALTH
SERVICES, a division of the State of Wisconsin
and a Wisconsin group medical benefits program
Representative of Estate of JOHN BROWN,
Deceased,

Involuntary Plaintiff,

v.

WAYNE BLANCHARD, in his individual capacity,
and WALWORTH COUNTY, WISCONSIN,

Defendants.

DEFENDANT'S PROPOSED SPECIAL VERDICT

Pursuant to the Court's Scheduling Order, the defendants, Wayne Blanchard and Walworth County, by their attorneys, Crivello Carlson, S.C., hereby submit the attached proposed special verdict in the above-captioned matter. Defendants note that some of these instructions may become unnecessary, and that others may need to be added as events unfold at trial.

Dated this 12th day of December, 2016.

CRIVELLO CARLSON, S.C.
Attorneys for Defendants, Wayne Blanchard,
and Walworth County

By: /s/ Samantha R. Schmid
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I. LIABILITY PHASE 1

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Defendants.

DEFENDANT'S PROPOSED SPECIAL VERDICT

WE, THE JURY, having been duly impaneled and sworn to try the case,
for our verdict find as follows:

Use of Force

Question No. 1: Did Deputy Wayne Blanchard use force that was unreasonable from the perspective of a reasonable officer facing the same circumstances that Deputy Blanchard faced?

(Yes or No) _____

Dated this _____ day of _____, 2016.

Jury Foreperson

II. LIABILITY PHASE 2; if necessary
III.

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WAYNE BLANCHARD, in his individual capacity,
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Defendants.

DEFENDANT'S PROPOSED SPECIAL VERDICT

WE, THE JURY, having been duly impaneled and sworn to try the case,
for our verdict find as follows:

Municipal Liability

Question No. 1: As of the time of the incident on May 4, 2012, did Walworth County fail to train its Deputies with respect to responding to suicide calls such that it was deliberately indifferent to the rights of its citizens?

Answer: _____(Yes or No)

Question No. 2: If the jury's answer to Question 1 is "Yes," then answer this question; otherwise do not answer it. Was such failure to train the moving force that caused John Brown's death?

Answer: _____(Yes or No)

Dated this _____ day of _____, 2016.

Jury Foreperson

IV. DAMAGES PHASE; if necessary

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DEFENDANT'S PROPOSED SPECIAL VERDICT

WE, THE JURY, having been duly impaneled and sworn to try the case,
for our verdict find as follows:

Question No. 1: What sum of money will fairly and reasonably compensate
the Estate of John Brown for the damages sustained as a natural consequence of
such constitutional violations as you have found, with respect to the following:

A. Funeral Expenses \$_____

B. Loss of John Brown's life: \$_____

Dated this _____ day of _____, 2016.

Jury Foreperson